

## **REMARKS**

The Office Action dated March 12, 2004 and references cited therein have been reviewed. In an effort to place the above-identified patent application in allowable form, Applicants have, by this amendment, canceled claims 96-99 and amended claims 88-95, 101, 108, 114 and 133-136.

### **THE SECTION 102 REJECTIONS**

Claims 88-97, 100-104, 106, 114-120, 124, 130, 133, 136-138 and 140 were rejected under 35 U.S.C. §102(e) as being anticipated by Malinowski.

The Examiner asserted that Figure 7 of Malinowski discloses a frame mount assembly (including 42), a support assembly (including members 54) having a connection end (including 58), and a plow mount assembly, with the plow mount assembly detachably connected to the support assembly and including a leg support 48. The Examiner also asserted that latch bars 50 and 52 constituted removable pins and sockets 58 and 60 constituted guide sections.

Claims 88 and 114 have been amended to clarify the position of the frame mount assembly when mounted to the vehicle. Claims 88 and 114 require the frame mount assembly to be substantially positioned below the bumper level of the vehicle, at least partially behind the bumper of the vehicle, and substantially under the vehicle when permanently mounted to the vehicle. Malinowski discloses two side plates 54 that constitute the frame mount assembly. These side plates are mounted on the side of the vehicle, not substantially positioned under the vehicle when mounted to the vehicle. The Examiner also indicated that frame section 42 was part of the frame mount assembly. Claims 88 and 114 require the frame mount assembly to be "substantially non-detachably mountable" to the vehicle. The use of the term "substantially non-detachably mountable" is used to distinguish the mounting arrangement of the frame mount assembly from the connection

arrangements associated with the support assembly. The frame mount assembly is mounted to the vehicle so that it is not quickly disconnected from the vehicle. Indeed, the mounting arrangement of the frame mount assembly is such that it may never be removed from the vehicle after it is initially installed. The support assembly is designed to be removably connected to the frame mount assembly. Frame section 42 of Malinowski is not a frame mount assembly as defined in claims 88 and 114. Frame section 42 is detachably connected to side plates 54. As such, frame section 42 is more closely associated with the support assembly that is defined in claims 88 and 114. However, the connection arrangement defined in claims 88 and 114 used to detachably connected the support assembly to the frame mount assembly is at least partially positioned below the bumper level of the vehicle, at least partially behind a bumper of the vehicle, and substantially positioned under the vehicle. Frame section 42 connects to side plates 54 at the side of the vehicle. It is also noted that component 44 of Malinowski appears to be part of the support assembly. The plow mount assembly 42 is illustrated as being connectable to socket 60 on component 54. Claims 88 and 114 require the plow mount assembly to be spaced from the frame mount assembly.

Applicants submit that Malinowski does not anticipate claims 88 or 114 and any of the claims dependent on such claims for at least the reasons set forth above.

Claims 88-105, 107-109, 112, 114-120, 124, 130, 133, 136, 137, 139 and 140 were rejected under 35 U.S.C. §102(e) as being anticipated by Pieper. The Examiner asserted that Pieper discloses a snowplow blade mount having all of the claimed structural components.

Claims 88 and 114 require the frame mount assembly to be substantially positioned below the bumper level of the vehicle, at least partially behind the bumper of the vehicle, and substantially under the vehicle when permanently mounted to the vehicle. The frame mount assembly 28 of Pieper is connected to the bumper 24 of the vehicle by plate 36. As a result, the frame mount

assembly of Pieper defaces the bumper of the vehicle when connected to the vehicle. The snowplow blade mount assembly defined in claims 88 and 114 does not deface the bumper of the vehicle. Claims 88 and 114 require that the frame mount assembly to be "substantially positioned below the bumper level of the vehicle" and "substantially positioned under the vehicle when permanently mounted to the vehicle." The frame mount assembly of Pieper is not "substantially positioned below the bumper level of the vehicle." Indeed, the frame mount assembly of Pieper is secured to the bumper. The frame mount assembly of Pieper is also not "substantially positioned under the vehicle when permanently mounted to the vehicle." Since the frame mount assembly of Pieper is secured to the bumper, it cannot be "substantially positioned under the vehicle when permanently mounted to the vehicle." Claims 88 and 114 also require that the plow mount assembly be spaced from the connection arrangement of the frame mount assembly when the support assembly is connected to the frame mount assembly. As illustrated in FIGURES 3 and 4 of Pieper, a portion of the plow mount assembly 42 is connected to a portion of the frame mount assembly 92 by pin 86.

Applicants submit that Pieper does not anticipate claims 88 or 114 and any of the claims dependent on such claims for at least the reasons set forth above.

### **THE SECTION 103 REJECTIONS**

Claims 109 and 139 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Pieper. As set forth above, neither of these two references disclose, teach or suggest the plow mount assembly defined in claims 88 and 114. Consequently, claims 109 and 139 which ultimately depend from claims 88 and 114, respectively, are not obvious in view of Malinowski and Pieper.

Claims 121-123, 125-129, 131, 132, 134 and 135 were rejected under 35 U.S.C. §103(a) as

being unpatentable over Malinowski, Behrens or Pieper. As stated above, neither Malinowski nor Pieper disclose, teach or suggest the plow mount assembly defined in claim 114. Consequently, claims 121-123, 125-129, 131, 132, 134 and 135 which ultimately depend from claim 114 are not obvious in view of Malinowski and Pieper. The Examiner took official notice that fixed pins and removable pins are obvious substitutes. Applicants disagree. Additional structure would be required on the Malinowski device for removable pins to function properly. As a result, a redesign would be required for the Malinowski device in order to use removable pins instead of fixed pins. Indeed, the removable pins used in Pieper are used in a different structural configuration from the fixed pins used in Malinowski.

The Examiner cited Behrens as making obvious dependent claims 121-123, 125-129, 131, 132, 134 and 135 without addressing the obviousness of independent claim 114 in view of Behrens. As an initial matter, Behrens does not disclose teach or suggest a plow mount assembly that is spaced from the connection arrangement of the frame mount assembly when the support assembly is connected to the frame mount assembly. The rear end 36 of the plow mount assembly directly connects to the frame mount assembly. Behrens also does not disclose, teach or suggest at least one landing of a connection arrangement in the frame mount assembly that at least partially receives at least a portion of the support assembly and at least partially limits movement of the support assembly relative to the frame mount assembly when the support assembly is inserted in the connection arrangement. The frame mount of Behrens includes two flanges that are used to connect the support assembly by one flange and the plow mount assembly to another flange. These flanges do not include any type of landing. For at least these reasons, Behrens does not anticipate or make obvious claim 114 and any of the claims dependent on such claim for at least the reasons set forth above.

Claims 109 and 139 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens in view of Pieper. As set forth above, neither of these two references disclose, teach or suggest the plow mount assembly defined in claims 88 and 114. Consequently, claims 109 and 139 which ultimately depend from claims 88 and 114, respectively, are not obvious in view of Behrens and Pieper.

Claims 110, 111 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens in view of Willis. Willis was cited as disclosing a deflector flap on a snowplow blade. Willis is absent any teachings concerning the frame mount assembly, support assembly or plow mount assembly that is defined in the claims of the present invention. As set forth above, Behrens does not disclose, teach or suggest the plow mount assembly defined in claim 88. Consequently, claims 110, 111 and 113 which ultimately depend from claim 88 are not obvious in view of Behrens and Willis.

Claim 110 was rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Willis. As stated above, Willis was only cited as disclosing a deflector flap on a snowplow blade. As set forth above, Malinowski does not disclose, teach or suggest the plow mount assembly defined in claim 88. Consequently, claim 110 which ultimately depends from claim 88 is not obvious in view of Malinowski and Willis.

Claims 110, 111 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pieper in view of Willis. Willis was only cited as disclosing a deflector flap on a snowplow blade. As set forth above, Pieper does not disclose, teach or suggest the plow mount assembly defined in claim 88. Consequently, claims 110, 111 and 113 which ultimately depend from claim 88 are not obvious in view of Pieper and Willis.

Applicants submit the claims presently pending in the above-identified patent application are in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,  
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